IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.72396-M of 2006

DATE OF DECISION:01.2.2007

Dharamvir .....Petitioner

Versus

State of Haryana & Anr. .....Respondents

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Rakesh Nehra, Advocate
for the petitioner.

Shri Partap Singh, Sr. DAG, Haryana.

None for respondent No.2.

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Petitioner Dharamvir, apprehending his arrest in a non-bailable offence in criminal complaint No. RBT/144/1 dated 22.5.2006 under Sections 148,149,323,308 IPC, titled as Rameshwar Versus Pardeep & Ors., pending in the Court of Additional Chief Judicial Magistrate, Jhajjar, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that in an occurrence, which took place on 7.2.2005, one person died from the side of the petitioner and three persons were injured. For that, FIR No. 46 dated 7.2.2005 was registered at Police Station Jhajjar under Sections 148/149/323/506/302 IPC. Counsel contends that after 15 months of the said occurrence, the accused side filed the instant complaint in which nine persons, including the petitioner, have been summoned to face trial under Sections 308, 323,148,149 IPC. He further contends that no specific injury has been attributed to any person and the petitioner has been falsely

implicated.

While issuing notice of motion on 21.11.2006, arrest of the petitioner was stayed subject to the condition that he will appear before the trial Court and furnish his regular bail bonds.

Inspite of service upon respondent No.2, no one is present on his behalf.

Counsel for the petitioner further contends that in view of the order dated 21.11.2006, the petitioner has appeared before the trial Court and furnished his regular bail bonds, which have been accepted and attested and since then he is regularly appearing.

In view of the above, the interim bail, granted vide order dated 21.11.2006 is made absolute.

Disposed of accordingly.

February 01, 2007 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**